

REMARKS

Applicant wishes to thank the Examiner for the careful consideration given to this case.

In the Office Action claims 1-15 were rejected by the Examiner. More specifically:

- Claims 1-9, 11, 12, and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0028148 (Hampton);
- Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hampton in view of U.S. Patent No. 4,726,716 (McGuire); and
- Claims 14 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hampton in view of U.S. Patent Application No. 5,546,938 (McKenzie).

Claims 1, 3, 11 and 14 have been amended herein. Support for the amendments may be found in the originally filed specification at least at paragraph 0019. As such, no new matter has been added. Upon entry of these amendments, claims 1-3 and 5-15 will remain pending. For the reasons set forth below, Applicants request that the above-listed rejections be withdrawn.

Claims 1-10

Applicant submits that amended independent claim 1 is novel over Hampton because Hampton fails to teach or suggest each and every limitation of amended independent claim 1. See MPEP §2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in the single prior art reference). More particularly, Applicant submits that Hampton fails to teach or suggest, among other things, “a middle section not including an adhesive material,” as recited in claim 1.

Hampton discloses a tube holder and stabilizer. With respect to the tube holder and stabilizer, Hampton teaches that “[a] primary adhesive region **114** (FIG. 4) is located between the opposing hook and loop region **112, 113** on the top planar surface **108**

0024. Hampton further teaches that the adhesive region is used to secure the tubing to the tube holder. Hampton, Paragraphs 0024-0026.

In contrast, claim 1 requires “a middle section not including an adhesive material.” Rather than securing a tube as taught by Hampton, the middle section described in claim 1 does not include an adhesive material. As such, a tube may be removed from the middle section without incurring damage caused by adherence to an adhesive material. Hampton merely teaches a middle section with an adhesive region and not “a middle section not including an adhesive material,” as required by claim 1.

Accordingly, for at least the reasons set forth hereinabove, Applicants submit that claim 1 is not anticipated by Hampton. See MPEP §2131. For similar reasons, Applicants also submit that claims 2-10, which depend from and incorporate all of the limitations of claim 1, are not anticipated by Hampton. Accordingly, Applicant requests that the §102(e) rejections associated with claims 1-10 be withdrawn.

Claims 11-13

Applicant submits that amended independent claim 11 is novel over Hampton because Hampton fails to teach or suggest each and every limitation of amended independent claim 11. See MPEP §2131. More particularly, Applicant submits that Hampton fails to teach or suggest, among other things, “adhering a back side of the PEG holder to the recipient, wherein the PEG holder includes a front side and a back side, wherein the front side includes a left section having a surface at least partially covered by a refastenable material, a right section having a surface at least partially covered by the refastenable material, and a middle section, not including an adhesive material,” as recited in claim 11.

Hampton discloses that the middle section of the tube holder is adhesive. As discussed in claim 1, Hampton teaches that “[a] primary adhesive region **114** (FIG. 4) is located between the opposing hook and loop region **112, 113** on the top planar surface **108**

In contrast, claim 11 requires “a middle section not including an adhesive material.” For substantially the same reasons as disclosed in claim 1, Hampton does not teach or suggest “a middle section not including an adhesive material,” as required by claim 11.

Therefore, for at least the reasons set forth hereinabove, Applicant submits that claim 11 is not anticipated by Hampton. *See MPEP §2131*. For similar reasons, Applicant also submits that claims 12-13, which depend from and incorporate all of the limitations of claim 11, are not anticipated by Hampton. Accordingly, Applicant requests that the §102(e) rejections associated with claims 11-13 be withdrawn.

Claims 14 and 15

Applicant submits that claim 14 is nonobvious over Hampton in view of McKenzie because the cited references, whether considered alone or in combination, fail to teach or suggest each and every limitation of claim 14. *See MPEP §2143* (stating that one of the elements of a *prima facie* case of obviousness under §103(a) is that the prior art references must teach or suggest all of the claim limitations). More particularly, Applicants submit that the combination of Hampton and McKenzie fail to teach or suggest, among other things, “unfastening a refastenable material of a left section of a PEG holder from a refastenable right section of a PEG holder, wherein the PEG holder includes a front side and a back side, wherein the front side

includes a left section having the refastenable material, a right side having the refastenable material, and a middle section, not including an adhesive material," as recited in claim 14.

Hampton discloses that the middle section of the tube holder is adhesive. As discussed in claim 1, Hampton teaches that "[a] primary adhesive region 114 (FIG. 4) is located between the opposing hook and loop region 112, 113 on the top planar surface 108." Hampton, Paragraph 0024. In contrast, claim 14 requires "a middle section not including an adhesive material." For substantially the same reasons as disclosed in claim 1, Hampton does not teach or suggest "a middle section not including an adhesive material," as required by claim 1.

McKenzie teaches that the device is "either formed of an adhesive material, or it is coated with an adhesive." McKenzie, Column 3, lines 39-43. As such, McKenzie merely teaches a device that is entirely adhesive. Furthermore, McKenzie does not teach a tube holder containing a middle section. McKenzie merely teaches that the tube is held in place by the adhesive straps. McKenzie, Column 4, lines 36-45. Accordingly, McKenzie does not teach or suggest "a middle section not including an adhesive material," as required by claim 14.

As such, Applicants submit that independent claim 14 is nonobvious over the combination of Hampton and McKenzie because the cited references fail to teach or suggest each and every limitation of claim 14. See MPEP §2143. Applicants further submit that claim 15, which depends from and incorporates all of the limitations of claim 14, is also nonobvious over the cited references. See MPEP §2143.03 (stating that if an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious). Accordingly, for the reasons set forth hereinabove, Applicant requests that the §103(a) rejections associated with claims 14 and 15 be withdrawn.

Application No. 10/670,435
Attorney Docket No.: 127000.00201

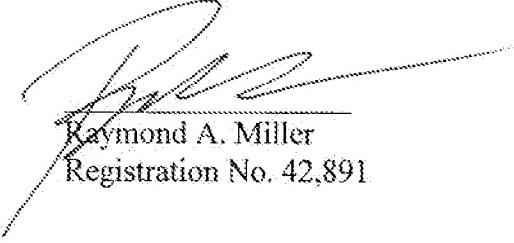
All of the stated grounds of rejection have been properly traversed, accommodated or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. There being no other rejections, Applicant respectfully requests that the current application be allowed and passed to issue.

If the Examiner believes for any reason that personal communication will expedite prosecution of this application, I invite the Examiner to telephone me directly.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment and Response, or credit any overpayment, to deposit account no. 05-0426.

Respectfully Submitted,
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Dated: December 13, 2006